

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MILTON HARRIS,)	
)	
Plaintiff,)	
)	
v.)	No. 3:04-0762
)	JUDGE ECHOLS
THE METROPOLITAN GOVERNMENT OF)	
NASHVILLE AND DAVIDSON COUNTY,)	
et al.,)	
)	
Defendants.)	

ORDER

For the reasons stated in the Memorandum entered contemporaneously herewith, the Court rules as follows:

(1) The Motion for Summary Judgment (Docket Entry No. 82) filed by Defendants the Metropolitan Government of Nashville and Davidson County, Michael Tribue, Dr. Frank Cirrincione and Dr. June Keel is hereby GRANTED IN PART and DENIED IN PART. The Motion is GRANTED with respect to Plaintiff's claims for race discrimination under Title VII and the Tennessee Human Rights Act ("THRA"), for age discrimination under the Age Discrimination in Employment Act and the THRA, and for retaliation under 42 U.S.C. § 1981. These claims are hereby DISMISSED WITH PREJUDICE.

The Motion is hereby DENIED with respect to Plaintiff's claim under the Family and Medical Leave Act and his claim for breach of contract under state common law. As a result, only Defendant Metropolitan Government remains in the lawsuit.

(2) Defendant Scott Brunette's Motion for Summary Judgment (Docket Entry No. 86) is hereby GRANTED. The claim against Scott Brunette for retaliation under 42 U.S.C. § 1981 is hereby DISMISSED WITH PREJUDICE.

(3) This case will proceed to jury trial as previously scheduled on May 16, 2006, at 9:00 a.m., with the Final Pretrial Conference as previously scheduled on April 24, 2006, at 1:30 p.m.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", is written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE